

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**REQUEST FOR FILING NATIONAL PATENT APPLICATION**

Under 35 USC 111(a) and Rule 53(b)



Mail Stop Patent Application  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

161  
PTO

**WITH SIGNED DECLARATION**

**PATENT APPLICATION**

NONPROVISIONAL  
NON REISSUE  
NON PCT NAT PHASE

17858 U.S. PTO  
10/802511



Sir:

Herewith is the **PATENT APPLICATION** of  
 Inventor(s): SEAN IRBY, ROBERT JONES, TED WONG, and SAM PARK

Title    SYSTEM, METHOD, AND APPARATUS TO PROVIDE,  
 MONITOR, REPLENISH, AND INVOICE CONSIGNMENT  
 INVENTORY WITH RETAIL CUSTOMERS

Atty. Dkt.:    000001  
 C-M

Client Ref

including:

Date: March 17, 2004

1. Specification: 29 pages (only spec. and claims)      2.  Specification in non-English language
3. Declaration     Original     Facsimile/Copy     Abstract    1 page(s);    22 numbered claims
4.  Drawings:    4 sheet(s)     informal;     formal of size:     A4     11"
5.  See top first page re prior Provisional, National or International application(s). ("X" box only if info is there and do not complete corresponding item 6 or 7). (Prior M# \_\_\_\_\_ SN \_\_\_\_\_ )
6. This application claims benefit of the following prior US application(s), the contents of which are incorporated into this application by this reference:

No.	/	filed	
No.	/	filed	
No.	/	filed	
No. PCT	/	filed	, which

designated the US.

7.  See the attached Preliminary Amendment, which amends the specification to claim benefit of the above listed US application(s)

8.  Attached is an assignment and cover sheet. Please return the recorded assignment to the undersigned.
9.  Assignee \_\_\_\_\_  
 Address \_\_\_\_\_

10. **FOREIGN** priority is claimed under 35 USC 119(a)-(d)/365(b) based on filing in \_\_\_\_\_

11. \_\_\_\_\_ (country)

Application No.	Filing Date	Application No.	Filing Date
(1)		(2)	
(3)		(4)	
(5)		(6)	
(7)		(8)	
(9)		<input type="checkbox"/>	See 3 <sup>rd</sup> page for additional priorities

12. \_\_\_\_\_ (No.) Certified copy (copies):     attached;     previously filed (date) \_\_\_\_\_  
 in U.S. Application No. \_\_\_\_\_ / \_\_\_\_\_ filed on \_\_\_\_\_

13. Small entity status →     is not claimed;     is claimed (Pre-filing confirmation required)

- 13(a).  Attached: \_\_\_\_\_ (No.) Small Entity Statement(s) (since 9/8/00 small entity statement(s) not essential to make claim)
- 13(b)  See NONPUBLICATION REQUEST under Rule 213(a) attached (PAT-258)

14. DOMESTIC/INTERNATIONAL priority is claimed under 35 USC 119(e)/120/365(c) based on the following provisional, nonprovisional and/or PCT international application(s):

Application No.	Filing Date	Application No.	Filing Date
(1)		(4)	
(2)		(5)	
(3)		(6)	

15.  This application is being filed under Rule 53(b)(2) since an inventor is named in the enclosed Declaration who was not named in the prior application.

16.  Attached:

17.  Preliminary Amendment:

**THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED**

	Large/Small Entity		Fee Code
18. Basic Filing Fee	\$770/\$385	\$770	1001/2001
19. Total Effective Claims 22 minus 20 = *2	x \$18/\$9 = + 36	+ 36	1202/2202
20. Independent Claims 7 minus 3 = *4	x \$86/\$43 = + 344	+ 344	1201/2201
*If answer is zero or less, enter '0'			
21. If any proper multiple dependent claim (ignore improper) is present , add (Leave this line blank if this is a reissue application)	+ \$290/\$145	+ 0	1203/2203
22.	<b>TOTAL FILING FEE =</b>	<b>\$1150</b>	
23. If "non-English" box 2 is X'd, add Rule 17(k) processing fee	+ \$130	+ 0	1053
24. If "assignment" box 8 is X'd, add recording fee	+ \$40	+ 0	8021
25. <input type="checkbox"/> Attached is a Petition/Fee under Rule No.	+ \$130	+ 0	1808
26.	<b>TOTAL FEE =</b>	<b>\$1150</b>	
Our Deposit Account No. 16-1805 Our Order No. 81223	C# 000001 M#		

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficient fee only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown above for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

Pillsbury Winthrop LLP  
Intellectual Property Group

725 South Figueroa Street, Suite 2800  
Los Angeles, CA 90017-5406  
Tel: (213) 488-7100

By Atty: Mark R. Kendrick

Reg. No. 48,468

MRK/mg

Sig:

Fax: (213) 629-1033  
Tel: (213) 488-7253

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: SEAN IRBY, et al. Serial No.: UNASSIGNED Filed: MARCH 17, 2004 For: SYSTEM, METHOD, AND APPARATUS TO PROVIDE, MONITOR, REPLENISH, AND INVOICE CONSIGNMENT INVENTORY WITH RETAIL CUSTOMERS	Group No.: UNKNOWN Examiner: UNKNOWN
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**CERTIFICATE OF MAILING VIA U.S. EXPRESS MAIL**

"Express Mail" Mailing Label No. EV 235 026 437 US

Date of Deposit: March 17, 2004

Mail Stop PATENT APPLICATION  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

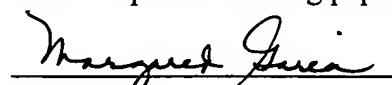
I hereby certify that

- Letter of transmittal
- Check in the amount of \$1150 as filing fee.
- Patent application (29 pages of specification; 22 claims; 1 pages of abstract)
- 4 sheet(s) of formal drawings
- Declaration and Power of Attorney
- Return postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service with sufficient postage under 37 CFR 1.10 on the date indicated above and are addressed to:

Mail Stop PATENT APPLICATION  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

March 17, 2004  
Date of Deposit

Margaret Garcia  
Name of person mailing papers  
  
Signature